

Practition r's Docket No. 915-007.039

**PATENT** 

Preliminary Classification:

Proposed Class:

Subclass:

NOTE:

"All applicants are requested to include a preliminary classification on newly filed patent applications. The preliminary classification, preferably class and subclass designations, should be identified in the upper right-hand comer of the letter of transmittal accompanying the application papers, for example 'Proposed Class 2, subclass 129." M.P.E.P. § 601, 7th ed.

#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Mail Stop PATENT APPLICATION Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

### **NEW APPLICATION TRANSMITTAL**

Transmitted herewith for filing is the patent application of Inventor(s): Timo HAKASALO and Risto PAATELMA

WARNING: 37 C.F.R.§ 1.41(a)(1) points out:

"(a) A patent is applied for in the name or names of the actual inventor or inventors.

"(1) The inventorship of a nonprovisional application is that inventorship set forth in the oath or declaration as prescribed by § 1.63, except as provided for in § 1.53(d)(4) and § 1.63(d). If an oath or declaration as prescribed by § 1.63 is not filed during the pendency of a nonprovisional application, the inventorship is that inventorship set forth in the application papers filed pursuant to § 1.53(b), unless a petition under this paragraph accompanied by the fee set forth in § 1.17(I) is filed supplying or changing the name or names of the inventor or inventors."

For (title): Code Phase Synchronization

## CERTIFICATION UNDER 37 C.F.R. § 1.10\*

(Express Mail label number is mandatory) (Express Mail certification is optional.)

I hereby certify that this New Application Transmittal and the documents referred to as attached therein are being deposited with the United States Postal Service on this date, <u>September 12, 2003</u>, in an envelope as "Express Mail Post Office to Addressee," mailing Label Number <u>EV 252883426 US</u>, addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

> Annemarie Maher (type or print name of person mailing paper)

Signature of person mailing paper

**WARNING:** Certificate of mailing (first class) or facsimile transmission procedures of 37 C.F.R. § 1.8 cannot be used to obtain a date of mailing or transmission for this correspondence.

Each paper or fee filed by "Express Mail" must have the number of the "Express Mail" WARNING: mailing label placed thereon prior to mailing. 37 C.F.R. § 1.10(b).

Since the filing of correspondence under § 1.10 without the Express Mail mailing label thereon is an oversight that can be avoided by the exercise of reasonable care, requests for waiver of this requirement will not be granted on petition." Notice of Oct. 24, 1996, 60 Fed.

Reg. 56,439, at 56,442.

(New Application Transmittal [4-1] page 1 of 11)

1. Ty	0	f Application
Thi	s ne	ew application is for a(n)
		(check one applicable item below)
X	Ori	iginal (nonprovisional)
	De	sign
		Plant
WARNIN	IG:	"Do not use this transmittal for a completion in the U.S. of an International Application under $35\ U.S.C.\$ § $37(c)(4)$ , unless the International Application is being filed as a divisional, continuation or continuation-in-part application.
WARNIN	IG:	Do not use this transmittal for the filing of a provisional application.
NOTE:	API and	ne of the following 3 items apply, then complete and attach ADDED PAGES FOR NEW PLICATION TRANSMITTAL WHERE BENEFIT OF A PRIOR U.S. APPLICATION CLAIMED I A NOTIFICATION IN PARENT APPLICATION OF THE FILING OF THIS CONTINUATION PLICATION.
		Divisional Continuation Continuation-in-part (C-I-P)
2. Be	nefi	t of Prior U.S. Application(s) (35 U.S.C. §§ 119(e), 120, or 121)

NOTE: A nonprovisional application may claim an invention disclosed in one or more prior filed copending nonprovisional applications or copending international applications designating the United States of America. In order for a nonprovisional application to claim the benefit of a prior filed copending nonprovisional application or copending international application designating the United States of America, each prior application must name as an inventor at least one inventor named in the later filed nonprovisional application and disclose the named inventor's invention claimed in at least one claim of the later filed nonprovisional application in the manner provided by the first paragraph of 35 U.S.C. § 112. Each prior application must also be:

- (i) An international application entitled to a filing date in accordance with PCT Article 11 and designated the United States of America; or
- (ii) Complete as set forth in § 1.51(b); or
- (iii) Entitled to a filing date as set forth in § 1.53(b) or § 1.53(d) and include the basic filing fee set forth in § 1.16; or
- (iv) Entitled to a filing date as set forth in § 1.53(b) and have paid therein the processing and retention fee set forth in § 1.21(l) within the time period set forth in § 1.53(f).

37 C.F.R. § 1.78(a)(1).

NOTE: If the new application being transmitted is a divisional, continuation or a continuation-in-part of a parent case, or where the parent case is an International Application which designated the U.S., or benefit of a prior provisional application is claimed, then check the following item and complete and attach ADDED PAGES FOR NEW APPLICATION TRANSMITTAL WHERE BENEFIT OF PRIOR U.S. APPLICATION(S) CLAIMED.

WARNING: If an application claims the benefit of the filing date of an earlier filed application under 35 U.S.C. §§ 120, 121 or 365(c), the 20-year term of that application will be based upon the filing date of the earliest U.S. application that the application makes reference to under 35 U.S.C. §§ 120,121 or 365(c). (35 U.S.C. § 154(a)(2) does not take into account, for the determination of the patent term, any application on which priority is claimed under 35 U.S.C. §§ 199, 365(a) or 365(b).) For a c-i-p application, applicant should review whether any claim in the patent that will issue is supported by an earlier application and, if not, the applicant should consider canceling the reference to the earlier filed application. The term of a patent is not based on a claim-by-claim approach. See Notice of April 14, 1995, 60 Fed. Reg. 20,195, at 20,205.

WARNING:		G:	When the last day of pendency of a provisional application falls on a Saturday, Sunday, or Federal holiday within the District of Columbia, any nonprovisional application claiming benefit of the provisional application <b>must</b> be filed prior to the Saturday, Sunday, or Federal holiday within the District of Columbia. See 37 C.F.R. § 1.78(a)(3).						
			The new application being transmitted claims the benefit of prior U.S. application(s). Enclosed are ADDED PAGES FOR NEW APPLICATION TRANSMITTAL WHERE BENEFIT OF PRIOR U.S. APPLICATION(S) CLAIMED.						
3.	Pap	ers	Enclosed						
	<u>21</u> <u>4</u>	1.1 Pa Pa	quired for filing date under 37 C.F.R. § 1.53(b) (Regular) or 37 C.F.R. § 53 (Design) Application ages of specification ages of claims seets of drawings						
	WAI	RNIN	G: DO NOT submit original drawings. A high quality copy of the drawings should be supplied when filing a patent application. The drawings that are submitted to the Office must be on strong, white, smooth, and non-shiny paper and meet the standards according to § 1.84. If corrections to the drawings are necessary, they should be made to the original drawing and a high-quality copy of the corrected original drawing then submitted to the Office. Only one copy is required or desired. For comments or proposed then-new 37 C.F.R. § 1.84, see Notice of March 9, 1988 (1990 O.G. 57-62).						
	NOT	rE:	"Identifying indicia, if provided, should include the application number or the title of the invention, inventor's name, docket number (if any), and the name and telephone number of a person to call if the Office is unable to match the drawings to the proper application. This information should be placed on the back of each sheet of drawing a minimum distance of 1.5 cm (5/8 inch) down from the top of the page" 37 C.F.R. § 1.84(c)).						
			(complete the following, if applicable)						
			The enclosed drawing(s) are photograph(s), and there is also attached a "PETITION TO ACCEPT PHOTOGRAPH(S) AS DRAWING(S)." 37 C.F.R. § 1.84(b).						
			The enclosed drawing(s) are in color. Three (3) sets of color drawings and a "PETITION TO ACCEPT COLOR DRAWING(S)" are attached. 37 C.F.R. §§ 1.84(a)(2) and 1.84(b).						
		X D	formal informal						
	В.	Oth	er Papers Enclosed						
	<u>0</u> <u>1</u> <u>0</u>	Pa	ges of declaration and power of attorney ges of abstract ner						
4.	Ad	ditic	nal papers enclosed						
		Am	endment to claims						
		the	ncel in this application claims before calculating filing fee. (At least one original independent claim must be retained for g purposes.)						
		be	the claims shown on the attached amendment. (Claims added have numbered consecutively following the highest numbered original ms.)						

	Pre	limina	ary Amendment					
$\boxtimes$	info	rmati	on Disclosure Statement (37 C.F.R. § 1.98)					
$\boxtimes$	For	m PT	O-1449 (PTO/SB/08A and 08B)					
X	Citations							
	Declaration of Biological Deposit							
	ame		ion of "Sequence Listing," computer readable copy and/or ent pertaining thereto for biotechnology invention containing le and/or amino acid sequence					
			ation of Attorney(s) to Accept and Follow Instructions from ntative					
	Spe	ecial (	Comments					
	Oth	er						
5. De	ciara	ation	or oath (including power of attorney)					
NOTE:	A newly executed declaration is not required in a continuation or divisional application provide that the prior nonprovisional application contained a declaration as required, the application being filed is by all or fewer than all the inventors named in the prior application, there is no new matter in the application being filed, and a copy of the executed declaration filed in the prior application (showing the signature or an indication thereon that it was signed) is submitted. The copy must be accompanied by a statement requesting deletion of the names of person(s) when are not inventors of the application being filed. If the declaration in the prior application was filed under § 1.47, then a copy of that declaration must be filed accompanied by a copy of the decision granting § 1.47 status or, if a nonsigning person under § 1.47 has subsequently joine in a prior application, then a copy of the subsequently executed declaration must be filed. Se 37 C.F.R. §§ 1.63(d)(1)-(3).							
which given reside		ch it is n nam dence,	aration filed to complete an application must be executed, identify the specification to to to directed, identify each inventor by full name including family name and at least one name, without abbreviation together with any other given name or initial, and the ce, post office address and country or citizenship of each inventor, and state whether the r is a sole or joint inventor. 37 C.F.R. § 1.63(a)(1)-(4).					
NOTE:	decil oath appi to § is fil	aration or de lication 1.53(b	ntorship of a nonprovisional application is that inventorship set forth in the oath or as prescribed by § 1.62, except as provided for in § 1.53(d)(4) and § 1.63(d). If an claration as prescribed by § 1.63 is not filed during the pendency of a nonprovisional at the inventorship is that inventorship set forth in the application papers filed pursuant b), unless a petition under this paragraph accompanied by the fee set forth in § 1.17(I) applying or changing the name or names of the inventor or inventors." 37 C.F.R. §					
		Encl	osed					
		Exec	cuted by					
			(check all applicable boxes)					
		□ i	inventor(s).					
		<b>п</b> і	legal representative of inventor(s). 37 C.F.R. §§ 1.42 or 1.43.					
			oint inventor or person showing a proprietary interest on behalf of ntor who refused to sign or cannot be reached.					
		1	This is the petition required by 37 C.F.R. § 1.47 and the statement required by 37 C.F. R. § 1.47 is also attached. See item 13 below for fee.					
	X	Not I	Enclosed					

NO:	TE:	comp Appl may	re the filing is a completion in the U.S. of an International Application or where the pletion of the U.S. application contains subject matter in addition to the International cation, the application may be treated as a continuation or continuation-in-part, as the case be, utilizing ADDED PAGE FOR NEW APPLICATION TRANSMITTAL WHERE BENEFIT PRIOR U.S. APPLICATION CLAIMED.	
			□ Application is made by a person authorized under 37 C.F.R. § 1.41(c) on behalf of all the above named inventor(s).	
(	The	decl	aration or oath, along with the surcharge required by 37 C.F.R. § 1.16(e) can b filed subsequently).	е
			☐ Showing that the filing is authorized.  (not required unless called into question. 37 C.F.R. § 1.41(d))	
6.	Inv	ento	rship Statement	
WA	RNIN	G:	If the named inventors are each not the inventors of all the claims an explanation, including the ownership of the various claims at the time the last claimed invention was made, should be submitted.	
The	e inv	ento	rship for all the claims in this application is:	
		The	same.	
			or	
			the same. An explanation, including the ownership of the various claims ne time the last claimed invention was made,	
			is submitted.	
			will be submitted	
7.	Lar	ngua	ge	
NOTE:		Engl	application including a signed oath or declaration may be filed in a language other than ish. An English translation of the non-English language application and the processing fee 130.00 required by 37 C.F.R. § 1.17(k) is required to be filed with the application, or within time as may be set by the Office. 37 C.F.R. § 1.52(d).	
		⊠	English Non English	
			☐ The attached translation includes a statement that the translation is accurate. 37 C.F.R. § 1.52(d).	
8.	As	sign	ment	
		X	An assignment of the invention to Nokia Corporation	
			☐ is attached. A separate ☐ "COVER SHEET FOR ASSIGNMENT (DOCUMENT) ACCOMPANYING NEW PATENT APPLICATION" or ☐ FORM PTO 1595 is also attached.	
			☑ will follow.	
NO	TE:		n assignment is submitted with a new application, send two separate letters-one for the ication and one for the assignment." Notice of May 4, 1990 (1114 O.G. 77-78).	

WARNIN	G: A newly executed "CE continuation-in-part app 62-64.	RTIFICATE UNDER dication is filed by ar	( 37 ( 7 assig	C.F.R. § 3.73 gnee. Notice	8(b)" must b of April 30,	e filed when a 1993, 1150 OG
	s is a □ continuation □ the parent application 0					
				Reel		
					)	
9. Ce	rtified Copy					
Ce	rtified copy(ies) of applic	ation(s)				
Eu	rope	02 020	378	.2	Septem	ber 12, 2002
Со	untry	Appln.	No.			Filed
Co	untry	Appln.	No.	<u></u>		Filed
from wi	hich priority is claimed:					
	<ul><li>is (are) attached.</li><li>□ will follow.</li></ul>					
	The foreign application form or declaration. 37 C.F.R. § 1 This item is for any foreign parent U.S. application or under 35 U.S.C. § 120 is its item 18 on the ADDED PAROF PRIOR U.S. APPLICATION (37 C.F.R. Regular applic.	.55(a) and 1.63. priority for which the international Applica elf entitled to priority GES FOR NEW APION(S) CLAIMED.	e appl tion fi from	ication being om which thi a prior foreig	filed directly is application n application	relates. If any n claims benefit n, then complete
		CLAIMS AS F	U FD	<u> </u>		
				·		
Numbe	er filed	Number Extra		Rate	37 C.F.F	Basic Fee R. § 1.16(a) \$750.00
Total C (37 C.F	laims F.R. § 1.16(c)) <b>16</b> - 20 =	0	x	\$18.00 =		
	ndent Claims F.R. § 1.16(b)) 1 - 3 =	0	х	\$84.00 =		
	e dependent claim(s), (37 C.F.R. § 1.16(d))		+	\$280.00		
	☐ Amendment cance☐ Amendment deletii☐ Fee for extra claim	ng multiple-depe	nden	icies is enc	losed.	
NOTE:	If the fees for extra claims amendment, prior to the e Trademark Office in any not	xpiration of the tim	e per	iod set for re	esponse by	
	Filing Fee Cal	culation			\$_	750.00

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	В.		Design app (\$310.00 -		R. § 1.16	(f))			
				Fil	ng Fee C	alculation		\$	
	C.		Plant appli	cation					
			(\$480.00 -	37 C.F.I	R. § 1.16(	g))			
				Fil	ng Fee C	alculation		\$	
11. Sm	all E	Entit	y Statemer	nt(s)					
			ent(s) that t (are) attach		filing by a	small entit	y under	37 C.F.F	R. §§ 1.9 and
WARNIN	G:	whice pater which has divise 1.53 entite application that the control of the cont	ch the status is and does not a ch are directly been establis sion, or continute and the state of the ment to smallication claiming disable of the petent if the estatement in the prior applice.	is available affect any or indirect shed. The nuation-in- ng of a re- all entity st ng benefit pissue app nonprovis not prior pation or i ment of the	e and desir other appli ly depender e refiling o coart (including ssue applicatus for the under 35 lication maj ional application in the pater e small enti	ed. Status as cation or pate to tupon the apt f an application requires continuing or U.S.C. § 119 y rely on a station or the retor in the pate of and status ty basic statut.	s a small ent, includ plication oon under under ed prosed a new de reissue apple, 120, tement file issue apple as a smaoory filing fe	entity in oning applica in patent in § 1.53 as cution application. In 121, or 3 and in the prication includes a copy still entity is	tion or patent in the application or patents or patents which the status a continuation, ication under § as to continued A nonprovisional 65(c) of a prior or application or ides a reference of the statement still proper and eated as such a
WARNIN	G:	state	all entity statu ement can <b>un</b> rev. 2, July 19	<b>equivocal</b> 196 (emph	l <b>y</b> make the asis added)	e required self	-certificatio	on." M.P.E.	s signing the P., § 509.03, 6 <sup>th</sup>
				,		ollowing, if a		-	
			Status as a		-				
			benefit is t	eing cla	, file	ed on this applicat	tion unde	er:	_, from which
			35 U.S	S.C. § 🗆	119(e), 120, 121, 365(c),				
						mall entity is	•	•	
						nent in the pon (50% of a			
			T-11	ing ree	Calculation			C above,	
						Ψ			
NOTE	a	re file	xcess of the fu ed within 2 mo tendable unde	nths of the	e date of tin	nely payment	entity stat of a full fe	ement and e. The two	a refund request -month period is
12. Red	que	st fo	or Internatio	onal-Ty <sub>l</sub>	e Searc	h (37 C.F.R	. § 1.104	4(d))	
				(cor	nplete, if	applicable)			
	Ple tim	ase e wł	prepare an nen nationa	interna Lexamin	tional-typ ation on t	e search re the merits to	port for akes pla	this appl ce.	ication at the

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# 13. Fe Payment Being Made at This Time ☑ Not Enclosed ☑ No filing fee is to be paid at this time. (This and the surcharge required by 37 C.F.R. § 1.16(e) can be paid subsequently.) □ Enclosed ☐ Filing fee \$ \_\_\_\_ □ Recording assignment (\$40.00 - 37 C.F.R. § 1.21(h)) (See attached "COVER SHEET FOR ASSIGNMENT ACCOMPANYING **NEW APPLICATION.")** ☐ Petition fee for filing by other than all the inventors or person on behalf of the inventor where inventor refused to sign or cannot be reached. (\$130.00 - 37 C.F.R. §§ 1.47 and 1.17(i)) ☐ For processing an application with a specification in a non-English language (\$130.00; 37 C.F.R. §§ 1.52(d) and 1.17(k)) Processing and retention fee (\$130.00, 37 C.F.R. §§ 1.52(d) and 1.21(l)) ☐ Fee for international-type search report (\$40.00; 37 C.F.R. § 1.21(e)) 37 C.F.R. § 1.21(I) establishes a fee for processing and retaining any application that is abandoned for failing to complete the application pursuant to 37 C.F.R. § 1.53(f) and this, as well NOTE: as the changes to 37 C.F.R. §§ 1.53 and 1.78(a)(1), indicate that in order to obtain the benefit of a prior U.S. application, either the basic filing fee must be paid, or the processing and retention fee of § 1.21(I) must be paid, within 1 year from the notification under § 53(f). Total fees enclosed 14. Method of Payment of Fees ☐ Attached is a ☐ check ☐ money order in the amount of \$\_\_\_\_ Authorization if hereby made to charge the amount of \$\_\_\_\_\_ to Deposit Account No. \_\_\_ to credit card as shown on the attached credit card information authorization form PTO-2038 Charge any additional fees required by this paper or credit any overpayment the manner authorized above. A duplicate of this transmittal is attached. NOTE: Fees should be itemized in such a manner that it is clear for which purpose the fees are paid. 37 C.F.R. § 1.22(b).

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## 15. Authorization to Charge Additional Fe s **WARNING:** If no fees are to be paid on filing, the following items should not be completed. **WARNING:** Accurately count claims, especially multiple dependent claims, to avoid unexpected high charges, if extra claim charges are authorized. The Commissioner is hereby authorized to charge the following additional fees by this paper and during the entire pendency of this application to Account No. ☐ 37 C.F.R. § 1.16(a), (f), or (g) (filing fees) ☐ 37 C.F.R. § 1.16(b), (c), and (d) (presentation of extra claims) Because additional fees for excess or multiple dependent claims not paid on filing or on later NOTE: presentation must only be paid or these claims canceled by amendment prior to the expiration of the time period set for response by the P.T.O. in any notice of fee deficiency (37 C.F.R. § 1.16(d)), it might be best not to authorize the P.T.O. to charge additional claim fees, except possibly when dealing with amendments after final action. ☐ 37 C.F.R. § 1.16(e) (surcharge for filing the basic filing fee and/or declaration on a date later than the filing date of the application) ☐ 37 C.F.R. § 1.17(a)(1)-(5) (extension fees pursuant to § 1.136(a)) ☐ 37 C.F.R. § 1.17 (application processing fees) "... A written request may be submitted in an application that is an authorization to treat any WARNING: concurrent or future reply, requiring a petition for an extension of time under this paragraph for its timely submission, as incorporating a petition for extension of time for the appropriate length of time. An authorization to charge all required fees, fees under § 1.17, or all required extension of time fees will be treated as a constructive petition for an extension of time in any concurrent or future reply requiring a petition for an extension of time under this paragraph for its timely submission. Submission of the fee set forth in § 1.17(a) will also be treated as a constructive petition for an extension of time in any concurrent reply requiring a petition for an extension of time under this paragraph for its timely submission." 37 C.F.R. § 1.136(a)(3). ☐ 37 C.F.R. § 1.18 (issue fee at or before mailing of Notice of

NOTE: Where an authorization to charge the issue fee to a deposit account has been filed before the mailing of a Notice of Allowance, the issue fee will be automatically charged to the deposit

account at the time of mailing the Notice of Allowance, 37 C.F.R. § 1.311(b).

Allowance, pursuant to 37 C.F.R. § 1.311(b))

NOTE: 37 C.F.R. § 1.28(b) requires "Notification of any change in status resulting in loss of entitlement to small entity status must be filed in the application . . . prior to paying, or at the time of paying, . . . issue fee." From the wording of 37 C.F.R. § 1.28(b), (a) notification of change of status must be made even if the fee is paid as "other than a small entity" and (b) no notification is required if the change is to another small entity.

# 16. Instructions as to Overpayment

NOTE:	a re dolla	Amounts of twenty-five dollars or less will not be re easonable time, nor will the payer be notified or lars may be returned by check or, if requested, b 6(a).	f such amounts; amounts over twenty-five
		Credit Account No	
		Refund	
Date:	Sep	otember 12, 2003	IGNATURE OF PRACTITIONER
Reg. N	o. :	27,550	ISTANCE OF A TOTAL
Tel. No	). <b>(2</b> (	203) 261-1234 (t	Alfred A. Fressola ype or print name of practitioner

Customer No. 004955

Ware, Fressola, Van Der Sluys

P.O. (Correspondence) Address

Building Five, Bradford Green 755 Main Street, P.O. Box 224

& Adolphson, LLP

Monroe, CT 06468

	Inc	Incorporation by reference of added pages							
	pric stag the	eck the following item if the application in this transmittal claims the benefit of or U.S. application(s) (including an international application entering the U.S. ge as a continuation, divisional or C-I-P application) and complete and attach ADDED PAGES FOR NEW APPLICATION TRANSMITTAL WHERE NEFIT OF PRIOR U.S. APPLICATION(S) CLAIMED.)							
		Plus Added Pages for New Application Transmittal Where Benefit of Prior U.S. Application(s) Claimed  Number of pages added							
		Plus Added Pages for Papers Referred to in Item 4 Above							
	u	Number of pages added							
		Plus added pages deleting names of inventor(s) named in prior application(s) who is/are no longer inventor(s) of the subject matter claimed in this application.							
		Number of pages added							
		Plus "Assignment Cover Letter Accompanying New Application"							
		Number of pages added							
X	Sta	tement Where No Further Pages Added							
		(if no further pages form a part of this Transmittal, then end this Transmittal with this page and check the following item.							
	$\boxtimes$	This transmittal ends with this page.							